THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	
Manfred Ueberschar, et al.	)	Group: 1792
Serial No.: 10/783,864	)	
Filed: February 23, 2004	)	
Title: A MATERIAL WEB LAYERING METHOD USING A CURTAIN APPLICATOR	)	Examiner: Bareford, Katherine

PRE-APPEAL BRIEF REQUEST FOR REVIEW

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants request review of the final rejection in the above-identified application. No amendments are being filed with this request. This Pre-Appeal Brief Request for Review is being filed concurrently with a Notice of Appeal from the Examiner's decision dated February 26, 2009, and the Advisory Action of May 5, 2009, finally rejecting claims 24-33, 35, 38, 39, 41-44 and 46, all of the pending claims in the application. The panel of Examiners is requested to review the legal and factual basis of the rejections for the reasons stated below.

Remarks

Nakamura et al. in view of Finnicum et al. and in further view of Bülow et al., and JP 129 in combination fail to disclose the present invention.

Regarding independent claim 24, Nakamura et al., disclose a process for producing pressure sensitive copying paper including a coating solution that contains microcapsules as a main component. Finnicum et al. discloses a device for applying a curtain coating for photographic film in which a multilayer material passes through slots and is dropped onto a web by gravity. Bülow et al. disclose a curtain coating apparatus having a planer deflector surface including a reservoir that holds solder resist. JP 129 illustrates a coating that falls onto a blade

with the coating then flowing along the blade until it contacts the surface of the material that is to be coated. None of the references teach the enclosing of a space, which is bounded by elements described in the independent claim, since Nakamura et al. is obviously open, and Finnicum et al. discloses the existence of a space between the web and the walls. Bülow et al. and JP129 each are open single flows of material. Further, none of the references teach the enhancement of wetting of the curtain mediums by providing a negative pressure in the space that is bounded by the curtains, as recited in claim 24. Applicants' invention is taught away from by the Finnicum et al. reference in that the wall precludes the enhancement step brought about by the interaction of the space and the two application mediums. Further, none of the references teach the combination of a doctor element intercepting a curtain that has flowed over a guideblade as is claimed in Applicants' independent claim. Therefore, Nakamura et al., Finnicum et al., Bülow et al., JP 129, and any of the other cited references, alone or in combination, fail to disclose, teach, or suggest the steps of enclosing the space partially bounded by the first curtain and the second curtain using the first curtain applicator and the second curtain applicator unit, the application medium curtains coming from the first curtain applicator unit and the second curtain applicator unit, the paper web, and a suction/blower box, the positioning of a first guideblade immediately adjacent to the first discharge nozzle, the positioning of a second guideblade immediately adjacent to the second discharge nozzle, setting a doctor element against the surface of the paper web, the doctor element intercepting the first curtain, the doctor element leading the first curtain to the paper web, and enhancing the wetting of the curtain medium from the second curtain to the medium from the first curtain on the web by providing a negative pressure in the space, as recited by claim 24.

Regarding independent claim 46, Nakamura et al., disclose a process for producing pressure sensitive copying paper including a coating solution that contains microcapsules as a main component. Finnicum et al. discloses a device for applying a curtain coating for

photographic film in which a multilayer material passes through slots and is dropped onto a web by gravity. Bülow et al. disclose a curtain coating apparatus having a planer deflector surface including a reservoir that holds solder resist. JP 129 illustrates a coating that falls onto a blade with the coating then flowing along the blade until it contacts the surface of the material that is to be coated. None of the references teach the enclosing of a space, which is bounded by elements described in the independent claim, since Nakamura et al. is obviously open, and Finnicum et al. discloses the existence of a space between the web and the walls. Bülow et al. and JP129 each are open single flows of material. Further, none of the references teach the stabilizing of the curtains by applying a positive pressure as recited in claim 46. Applicants' invention is taught away from by the Finnicum et al. reference in that the wall precludes the enhancement step brought about by the interaction of the space and the two application mediums. Further, none of the references teach the combination of a doctor element intercepting a curtain that has flowed over a guideblade as is claimed in Applicants' independent claim. Therefore, Nakamura et al., Finnicum et al., Bülow et al., JP 129, and any of the other cited references, alone or in combination, fail to disclose, teach, or suggest the steps of enclosing the space partially bounded by the first curtain and the second curtain using the first curtain applicator and the second curtain applicator unit, the application medium curtains coming from the first curtain applicator unit and the second curtain applicator unit, the paper web, and a suction/blower box, the positioning of a first guideblade immediately adjacent to the first discharge nozzle, the positioning of a second guideblade immediately adjacent to the second discharge nozzle, setting a doctor element against the surface of the paper web, the doctor element intercepting the first curtain, the doctor element leading the first curtain to the paper web, and stabilizing the first curtain and the second curtain by applying a positive pressure in the space, as recited in claim 46.

Regarding claim 39, Nakamura et al., disclose a process for producing pressure sensitive copying paper including a coating solution that contains microcapsules as a main component. Finnicum et al. discloses a device for applying a curtain coating for photographic film in which a multilayer material passes through slots and is dropped onto a web by gravity. Bülow et al. disclose a curtain coating apparatus having a planer deflector surface including a reservoir that holds solder resist. JP 129 illustrates a coating that falls onto a blade with the coating then flowing along the blade until it contacts the surface of the material that is to be coated. In contrast, to these references, Applicants have recited that the pressure-differential device is operatively positioned between the first curtain applicator unit and the second curtain applicator unit. As can be seen in the figures of the cited prior art and the text of the associated specifications, none of those references disclose the positioning of a pressure differential device operatively between the first and second curtain applicator units. Therefore, Nakamura et al., Finnicum et al., Bülow et al., JP 129, and any of the other cited references alone or in combination fail to disclose, teach, or suggest the step of producing a vacuum or a positive pressure with a pressure-differential device, the pressure-differential device being operative positioned between the first curtain applicator unit and the second curtain applicator unit, as recited in claim 39.

Each of the dependent claims depend from one of the claims discussed herein, and are allowable based on that dependence.

For the foregoing reasons, Applicant submits that the pending claims are in condition for allowance which is hereby respectfully requested.

In the event Applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicant hereby conditionally

petitions therefor and authorizes that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,

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